

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 7:00 p.m., Thursday, March 21, 2013 at Kansas Historical Museum, 6425 SW 6th Ave, Topeka, Kansas, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., March 21 at the location listed above. The meeting will recess at approximately 5:30 p.m. then resume at 7:00 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. March 22 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, Commission Secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to sheila.kemmis@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-2-1. This permanent regulation establishes the price of the nonresident antlered and antlerless deer combination permit as directed by the Legislature.

Economic Impact Summary: The proposed amendment is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-4-4. This permanent regulation establishes the legal equipment and taking methods for big game. The proposed amendments remove some archery equipment restrictions, allow the use of crossbows by all individuals in the archery deer season, remove restrictions on elk muzzleloader equipment, allow the use of centerfire cartridges in firearms season, remove shotgun slug gauge restrictions in firearms season, update the regulation for statutory changes

and remove restrictions related to possessing certain equipment for the permit type possessed.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-4-4a. This permanent regulation establishes the legal equipment and taking methods for wild turkeys. The proposed amendments would remove restrictions on archery equipment to coincide with changes in archery deer season, allow the use of crossbows by all individuals in the spring and fall archery season, remove gauge restrictions on shotguns, update the regulation as to statutory changes and remove restrictions related to possessing certain equipment for the permit type possessed.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-18-7. This permanent regulation establishes the use of crossbows and locking draws for big game and wild turkey hunting for persons with disabilities. The proposed amendments would coincide with the above listed proposed equipment changes for big game hunting equipment related to crossbows.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-25-5. This exempt regulation establishes the fall season, bag limits and permits for turkey hunting. The proposed change would only close the fall turkey season during the regular firearms deer season.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, Chairman

115-2-1. Amount of fees. The following fees shall be in effect for the following licenses, permits, and other issues of the department: (a) Hunting licenses and permits.

Resident hunting license	\$18.00
Resident senior hunting license (annual purchase, 65 years of age through 74 years of age)	9.00
Resident hunting license (one-time purchase, valid from 16 years of age through 20 years of age)	40.00
Nonresident hunting license	70.00
Nonresident junior hunting license (under 16 years of age)	35.00
Resident big game hunting permit:	
General resident: either-sex elk permit	250.00
General resident: antlerless-only elk permit	100.00
General resident youth (under 16 years of age): either-sex elk permit	125.00
General resident youth (under 16 years of age): antlerless-only elk permit	50.00
Landowner/tenant: either-sex elk permit	125.00
Landowner/tenant: antlerless-only elk permit	50.00
Hunt-on-your-own-land: either-sex elk permit	125.00
Hunt-on-your-own-land: antlerless-only elk permit	50.00
General resident: deer permit	30.00
General resident youth (under 16 years of age): deer permit	15.00
General resident: antlerless-only deer permit	15.00
General resident youth (under 16 years of age): antlerless-only deer permit	7.50
Landowner/tenant: deer permit	15.00
Hunt-on-your-own-land: deer permit	15.00

Special hunt-on-your-own-land: deer permit	30.00
General resident: antelope permit	40.00
General resident youth (under 16 years of age): antelope permit	20.00
Landowner/tenant: antelope permit	20.00
Hunt-on-your-own-land: antelope permit	20.00
Antelope preference point service charge	5.00
Any-deer preference point service charge	5.00
Application fee for elk permit.....	5.00

Wild turkey permit:

General resident: turkey permit (1-bird limit)	20.00
General resident youth (under 16 years of age): turkey permit (1-bird limit)	10.00
Landowner/tenant: turkey permit (1-bird limit)	10.00
Nonresident: turkey permit (1-bird limit)	30.00
Resident: turkey preference point service charge	5.00

Wild turkey game tag:

Resident: turkey game tag (1-bird limit)	10.00
Nonresident: turkey game tag (1-bird limit)	20.00

Spring wild turkey permit and game tag combination (2-bird limit, must be purchased before April 1 of year of use):

General resident: turkey permit and game tag combination (2-bird limit)	25.00
General resident youth (under 16 years of age): turkey permit and game tag combination (2-bird limit)	15.00
Landowner/tenant: turkey permit and game tag combination (2-bird limit)	15.00

Nonresident: turkey permit and game tag combination (2-bird limit)	45.00
Nonresident big game hunting permit:	
Nonresident hunt-on-your-own-land: deer permit	75.00
Nonresident: deer permit (antlered deer)	300.00
Nonresident: deer permit (antlerless only)	50.00
<u>Nonresident: combination 2-deer permit (antlered deer and antlerless white-tailed deer)....</u>	
<u>.....</u>	<u>315.00</u>
Nonresident: antelope permit (archery only)	200.00
Nonresident: deer permit application fee	20.00
Nonresident: mule deer stamp	100.00
48-hour waterfowl hunting permit	25.00
Field trial permit: game birds	20.00
Lifetime hunting license	440.00
or eight quarterly installment payments of	60.00
Migratory waterfowl habitat stamp	5.00
Special dark goose hunting permit	5.00
Sandhill crane hunting permit: validation fee	5.00
Disabled person hunt-from-a-vehicle permit	0
(b) Fishing licenses and permits.	
Resident fishing license	18.00
Resident senior fishing license (annual purchase, 65 years of age through 74 years	
of age)	9.00
Resident fishing license (one-time purchase, valid from 16 years of age through 20	

years of age)	40.00
Nonresident fishing license	40.00
24-hour fishing license	3.00
Three-pole permit.....	4.00
Tournament bass pass	10.00
Paddlefish permit (six carcass tags).....	10.00
Paddlefish permit youth (under 16 years of age) (six carcass tags).....	5.00
Hand fishing permit	25.00
Floatline fishing permit.....	0
Lifetime fishing license	440.00
or eight quarterly installment payments of	60.00
Five-day nonresident fishing license	20.00
Institutional group fishing license	100.00
Special nonprofit group fishing license	50.00
Trout permit	10.00
(c) Combination hunting and fishing licenses and permits.	
Resident combination hunting and fishing license	36.00
Resident senior combination hunting and fishing license (annual purchase, 65 years of age through 74 years of age)	18.00
Resident combination hunting and fishing license (one-time purchase, valid from 16 years of age through 20 years of age)	70.00
Resident lifetime combination hunting and fishing license	880.00
or eight quarterly installment payments of	120.00

Resident senior lifetime combination hunting and fishing license (one-time purchase, valid

65 years of age and older)40.00

Nonresident combination hunting and fishing license110.00

(d) Furharvester licenses.

Resident furharvester license18.00

Resident junior furharvester license10.00

Lifetime furharvester license440.00

or eight quarterly installment payments of60.00

Nonresident furharvester license250.00

Nonresident bobcat permit (1-bobcat limit per permit)100.00

Resident fur dealer license100.00

Nonresident fur dealer license400.00

Field trial permit: furbearing animals20.00

(e) Commercial licenses and permits.

Controlled shooting area hunting license15.00

Resident mussel fishing license75.00

Nonresident mussel fishing license1,000.00

Mussel dealer permit200.00

Missouri river fishing permit25.00

Game breeder permit10.00

Controlled shooting area operator license200.00

Commercial dog training permit20.00

Commercial fish bait permit20.00

Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license)20.00

Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or
exempt from this license requirement)5.00

Commercial prairie rattlesnake dealer permit.....50.00

Prairie rattlesnake round-up event permit25.00

(f) Collection, scientific, importation, rehabilitation, and damage-control permits.

Scientific, educational, or exhibition permit10.00

Raptor propagation permit0

Rehabilitation permit0

Wildlife damage-control permit0

Wildlife importation permit10.00

Threatened or endangered species: special permits0

(g) Falconry.

Apprentice permit75.00

General permit75.00

Master permit75.00

Testing fee50.00

(h) Miscellaneous fees.

Duplicate license, permit, stamp, and other issues of the department10.00

Special departmental services, materials, or supplies At cost

Vendor bond

For bond amounts of \$5,000.00 and less50.00

For bond amounts of more than \$5,000.0050.00

plus \$6.00 per additional \$1,000.00 coverage or any fraction thereof.

~~This regulation shall be effective on and after January 1, 2013.~~ (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, L. 2012, Ch. 154, Sec. 1, and K.S.A. 2011 Supp. 32-988, as amended by L. 2012, Ch. 154, Sec. 7; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005; amended Jan. 1, 2006; amended May 1, 2006; amended Jan. 1, 2007; amended Jan. 1, 2008; amended Jan. 1, 2009; amended Jan. 1, 2010; amended Aug. 1, 2010; amended Jan. 1, 2011; amended Jan. 1, 2012; amended Jan. 1, 2013; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-2-1. Amount of fees.

DESCRIPTION: This permanent regulation establishes fish and wildlife-related license and permit fees. The proposed amendments would establish fees for combination nonresident antlered and antlerless deer permits as directed by the Legislature.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The fee structure that is proposed will result in no fiscal gain to the department. No other appreciable negative economic impact is anticipated for other agencies, small businesses, or the public.

ALTERNATIVES CONSIDERED: None.

115-4-4. Big game; legal equipment and taking methods. (a) Hunting equipment for the taking of big game during a big game archery season shall consist of the following:

(1) Archery equipment.

~~(A) Each bow shall be hand drawn.~~

~~(B) No bow shall have a mechanical device that locks the bow at full or partial draw.~~

~~(C) Each bow shall be designed to shoot only one arrow at a time.~~

~~(D)~~ (B) No bow or arrow shall have any electronic device attached to the bow or arrow, ~~with the exception of that controls the flight of the arrow. Devices that may be attached to a bow or arrow shall include~~ lighted pin, dot, or holographic sights, ~~or~~ illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

~~(E)~~ (C) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big game hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.

~~(F) No bow with less than 50 pounds of draw weight shall be used to archery hunt for elk.~~

(2) Crossbows and locking draws as authorized under K.A.R. 115-18-7.

~~(3) For any individual possessing a youth big game permit or any individual 55 years of age or older, Crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big game hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take~~

big game animals.

No crossbow or arrow shall have any electronic device attached to the crossbow or arrow that controls the flight of the arrow. Devices that may be attached to a crossbow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(b) Hunting equipment for the taking of big game during a big game muzzleloader-only season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a); and

(2) muzzleloading rifles, pistols, and muskets that can be loaded only through the front of the firing chamber with separate components and ~~that fire a bullet of .39~~ are .40 inches in diameter bore or larger, ~~except for the hunting of elk, which shall require a bullet of .49 inches in diameter or larger; and~~

~~(3) single barrel muzzleloading pistols .45 caliber or larger that have a barrel length of 10 inches or greater and can be loaded only through the front of the barrel with separate components, except for the hunting of elk, which shall require a bullet of .49 inches in diameter or larger. Only hard-cast solid lead, conical lead, or sabot bullets shall be used with muzzleloading~~ rifles, pistols, and muskets.

(c) Hunting equipment for the taking of big game during a big game firearm season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a);

(2) muzzleloader-only season equipment as authorized in subsection (b);

(3) centerfire rifles and handguns that are not fully automatic, ~~that fire a bullet larger than .23 inches in diameter, and that use a cartridge case that is 1.280 inches or more in length,~~ while using only

hard-cast solid lead, soft point, hollow point, or other expanding bullets, ~~except for the hunting of elk, which shall require a bullet larger than .25 inches in diameter and a cartridge case that is 1.75 inches or more in length; and~~

(4) shotguns using only slugs of 20 gauge or larger, ~~except that the hunting of elk shall require a slug of 12 gauge or larger; and~~

~~(5) crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three quarters of an inch when fully expanded. A big game hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.~~

(d) Accessory equipment.

(1) Each individual hunting deer or elk during a firearms deer or elk season and each individual assisting an individual hunting deer or elk as authorized by K.A.R. 115-4-2 or K.A.R. 115-18-15 during a firearms deer or elk season shall wear outer clothing of a bright orange color ~~having a predominant light wavelength of 595-605 nanometers~~, commonly referred to as daylight fluorescent orange, hunter orange, blaze orange, or safety orange. This bright orange color shall be worn as follows:

(A) A hat with the exterior of not less than 50 percent of the bright orange color, an equal portion of which is visible from all directions; and

(B) at least 100 square inches of the bright orange color that is on the front of the torso and is visible from the front and at least 100 square inches that is on the rear of the torso and is visible from the rear.

(2) ~~Nonelectric calls, Lures, and decoys,~~ except live decoys, and nonelectric calls shall be legal while hunting big game.

(3) Any individual may use blinds and stands while hunting big game.

(4) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy may be used.

(5) Any range-finding device, if the device does not project visible light toward the target, may be used.

(6) Devices capable of dispensing lethal, debilitating, or immobilizing chemicals to take big game animals shall not be used.

~~(e) Big game permittees shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive big game permit in possession while hunting.~~

~~(f)~~ Shooting hours for deer, antelope, and elk during each day of any deer, antelope, or elk hunting season shall be from one-half hour before sunrise to one-half hour after sunset.

~~(g)~~ (f) Horses and mules may be used while hunting big game, except that horses and mules shall not be used for herding or driving ~~elk~~ big game.

(g) Firearm report-suppressing devices may be used.

(h) Handguns may be possessed during all big game seasons. However, no handgun shall be used to take deer except as legal equipment specified in subsection (c) during a big game firearms season. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and K.S.A. 2011 Supp. 32-937, as amended by L. 2012, Ch. 154, Sec. 6; effective June 1, 2001; amended April 19, 2002; amended April 22, 2005; amended June 2, 2006; amended April 13, 2007; amended

April 11, 2008; amended May 21, 2010; amended April 20, 2012; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-4-4. Big game; legal equipment and taking methods.

DESCRIPTION: This regulation establishes legal equipment and taking methods for big game species. The proposed amendments would remove some archery equipment restrictions, allow the use of crossbows by all individuals in the archery deer season, remove restrictions on elk muzzleloader equipment, allow the use of centerfire cartridges in firearms season, remove shotgun slug gauge restrictions in firearms season, update the regulation for statutory changes and remove restrictions related to possessing certain equipment for the permit type possessed.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendment is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

115-4-4a. Wild turkey; legal equipment and taking methods. (a) Hunting equipment for the taking of wild turkey during a wild turkey archery season shall consist of the following:

(1) Archery equipment.

(A) ~~Each bow shall be hand-drawn.~~

~~(B)~~ No bow shall have a mechanical device that locks the bow at full or partial draw.

~~(C)~~ ~~Each bow shall be designed to shoot only one arrow at a time.~~

~~(D)~~ (B) No bow or arrow shall have any electronic device attached to the bow or arrow, ~~with the exception of~~ that controls the flight of the arrow. Devices that may be attached to a bow or arrow shall include lighted pin, dot, or holographic sights, ~~or~~ illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

~~(E)~~ (C) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(2) Crossbows and locking draws as authorized under K.A.R. 115-18-7.

(3) ~~For any individual possessing a youth wild turkey permit or any individual 55 years of age or older, Crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length~~ that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take

wild turkeys.

No crossbow or arrow shall have any electronic device attached to the crossbow or arrow that controls the flight of the arrow. Devices that may be attached to a crossbow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(b) Hunting equipment for the taking of wild turkey during a wild turkey firearm season shall consist of the following:

- (1) Archery and crossbow equipment as authorized in subsection (a); and
- (2) shotguns and muzzleloading shotguns ~~not less than 20 gauge and using~~ only size two shot through size nine shot; ~~and~~
- ~~(3) only during the spring wild turkey firearm season, crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three quarters of an inch when fully expanded. A wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.~~

(c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall consist of the following:

- (1) ~~Nonelectric calls, Lures, and;~~ decoys, except live decoys; and nonelectric calls;
- (2) blinds and stands;

(3) range-finding devices, if the devices do not project visible light toward the target; and

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy.

~~(d) Each wild turkey permittee shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive wild turkey permit or game tag in possession while hunting.~~

~~(e)~~ Shooting hours for wild turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.

~~(f)~~ (e) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.

~~(g)~~ (f) Dogs may be used while hunting turkey, but only during the fall turkey season.

(g) Firearm report-suppressing devices may be used.

(h) Handguns may be possessed during all wild turkey seasons. However, no handgun shall be used to take wild turkeys. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and K.S.A. 2011 Supp. 32-969; effective April 22, 2005; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended April 20, 2012; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-4-4a. Wild turkey; legal equipment and taking methods.

DESCRIPTION: This regulation establishes legal equipment and taking methods for wild turkeys. The proposed amendments would remove restrictions on archery equipment to coincide with changes in archery deer season, allow the use of crossbows by all individuals in the spring and fall archery season, remove gauge restrictions on shotguns, update the regulation as to statutory changes and remove restrictions related to possessing certain equipment for the permit type possessed.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendment is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

115-18-7. Use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities; application, permit, and general provisions. (a) Each permanently disabled person qualified to hunt deer, antelope, elk, or wild turkey with a crossbow and desiring to obtain a crossbow and locking draw permit shall apply to the secretary on forms provided by the department. Each applicant shall provide the following information:

- (1) Name of applicant;
 - (2) address;
 - (3) a physician's signed report, on forms provided by the department, describing the permanent disability and certifying the applicant physically incapable of using a bow; and
 - (4) other relevant information as required by the secretary.
- (b) Each person with a temporary disability who would be qualified to hunt deer, antelope, elk,

or wild turkey with a crossbow if the disability were permanent and who desires to obtain a temporary crossbow and locking draw permit shall apply to the secretary on forms provided by the department.

Each applicant shall provide the following information:

- (1) Name of applicant;
- (2) address;
- (3) a physician's signed report, on forms provided by the department, describing the disability, certifying the applicant physically incapable of using a bow, and estimating the time period that the person is likely to be subject to the disability; and
- (4) other relevant information as required by the secretary.

Each temporary permit shall expire no more than three years from the date of issuance and shall state the expiration date on the face of the permit.

(c) Any applicant may be required by the secretary to obtain, at the department's expense, a report from a second physician chosen by the secretary.

(d) A crossbow and locking draw permit or temporary permit may be refused issuance or may be revoked by the secretary for any of the following reasons:

- (1) The disability does not meet qualifications for the permit.
- (2) The application is incomplete or contains false information.

(3) The disability under which the permit was issued no longer exists.

(e) A crossbow and locking draw permit or temporary permit shall be valid statewide.

(f) Any crossbow and locking draw permittee may use a crossbow or bow equipped with a locking draw for hunting deer, antelope, elk, or wild turkey during any archery season established by the secretary for the big game species or wild turkey being hunted by the permittee. This provision shall be subject to the applicable regulations governing archery hunting of that big game species or wild turkey, including possession of a valid hunting permit issued by the department for that big game species or wild turkey, if required.

(g) Legal equipment for hunting any big game or wild turkey by crossbow shall consist of the following:

(1) ~~Crossbows of not less than 125 pounds of draw weight;~~

(2) ~~Arrows not less than 16 inches in length,~~ equipped with broadhead points incapable of passing through a ring with a diameter smaller than three-quarters of an inch when fully expanded;

~~(3) (2) if attached to the bow, any lighted pin, dot, or holographic sights attached to the bow, but no other electronic or chemical device attached to the crossbow or arrow; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices;~~

~~(4)~~ (3) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy; and

~~(5)~~ (4) range-finding devices, if the system does not project visible light toward the target.

(h) Legal equipment for hunting any big game or wild turkey using a bow equipped with a locking draw shall consist of legal archery equipment as specified in K.A.R. 115-4-4, except that the bow may have a mechanical device that locks the bow at full or partial draw.

(i) Any person may assist the holder of a crossbow permit or a temporary crossbow permit during the permittee's hunting activity. A person assisting a holder of a permit shall not perform the actual shooting of the crossbow for the permittee.

(j) A big game or wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys or big game animals.

(k) No bow, crossbow, or arrow shall have any electronic device attached to the bow, crossbow, or arrow that controls the flight of the arrow.

(l) No device capable of dispensing lethal, debilitating, or immobilizing chemicals to take wild turkeys or big game animals shall be used. (Authorized by K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, K.S.A. 2009 2011 Supp. 32-919, as amended by L. 2012, Ch. 154, Sec. 5, and K.S.A. 2009

2011 Supp. 32-932, as amended by L. 2012, Ch. 47, Sec. 48; implementing K.S.A. ~~2009~~ 2011 Supp. 32-932, as amended by L. 2012, Ch. 47, Sec. 48; effective Oct. 30, 1989; amended, T-115-9-9-97, Sept. 9, 1997; amended Dec. 29, 1997; amended Oct. 1, 1999; amended April 19, 2002; amended Feb. 18, 2005; amended April 11, 2008; amended May 21, 2010; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-18-7. Use of permits for big game hunting by persons with disabilities; application, permit, and general provisions.

DESCRIPTION: This regulation provides for the issuance of a permit to any person with a qualifying disability allowing the use of a crossbow to hunt big game. The proposed amendments would coincide with proposed equipment changes for big game hunting equipment.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendment is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

115-25-5. Turkey; fall season, bag limit, and permits. (a) The open fall season for the taking of turkey shall be the first day of October through the day before the first day of the regular deer firearms season as specified in K.A.R. 115-25-9 and shall reopen on the day following the last day of the regular deer firearms season through the last day in January. Any equipment that is legal during an archery or fall firearm turkey season shall be permitted during this season.

(b) The units and the number of permits authorized for the taking of turkey during the established seasons shall be as follows:

(1) Unit 1. Unit 1 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-183 to its junction with interstate highway I-70, and then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 1.

(2) Unit 2. Unit 2 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. An unlimited number of permits and game tags shall be authorized

for unit 2.

(3) Unit 3. Unit 3 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with Nebraska-Kansas state line, and then west along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of permits and game tags shall be authorized for unit 3.

(4) Unit 4. Unit 4 shall consist of that portion of the state bounded by a line from the Kansas-Colorado state line east on interstate highway I-70 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries. No permits shall be authorized in unit 4.

(5) Unit 5. Unit 5 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with federal highway US-56,

then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, and then east along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits and game tags shall be authorized for unit 5.

(6) Unit 6. Unit 6 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, and then west along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits and game tags shall be authorized for unit 6.

(c) The bag limit for the open fall season shall be one turkey of either sex for each permit or game tag.

(d) An individual shall not apply for or obtain more than one turkey permit and three turkey game tags for the open fall season. Only an individual who has purchased a turkey permit shall be

eligible to purchase a turkey game tag.

(e) Turkey permits and turkey game tags shall be valid only for the unit or units designated on the turkey permit or turkey game tag.

(f) This regulation shall be effective on and after May 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and K.S.A. 2011 Supp. 32-969.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-25-5 Turkey; open season, bag limit, and permits

DESCRIPTION: This proposed exempt regulation establishes hunting unit boundaries, bag limit and season dates for the 2013 fall wild turkey seasons. The proposed change would allow the fall turkey season to be open during all firearms deer seasons except for the regular firearms deer season. Otherwise, the regulation would be unchanged from previous seasons.

FEDERAL MANDATE: None

ECONOMIC IMPACT: It is anticipated that 12,500 fall turkey hunting permits and tags will be issued in 2013. This total includes 7500 resident permits, 3000 turkey game tags and 2000 nonresident permits. Estimated revenue if all permits are issued would be \$255,000. That amount represents an equal expenditure for those individuals desiring to participate in the fall turkey hunting season. Administrative costs associated with the season are borne by the department.

The department estimates over 24,000 days of hunting activity will occur, thus providing economic benefit to businesses providing goods and services. No other economic impact on the general public, small businesses or on other state agencies is anticipated.

ALTERNATIVES CONSIDERED: None.